

CENTERFOR DISABILITY ACCESS  
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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**Andres Gomez,**  
Plaintiff,

v.

**Kieu Hoang Winery, LLC**, a California  
Limited Liability; and Does 1-10,  
Defendants.

Case No.: 3:21-cv-09471-SI

**Declaration of Christopher A. Seabock  
in Response to Order to Show Cause**

Honorable Judge Susan Illston

1. I, the undersigned, am an attorney for Plaintiff Andres Gomez and in that capacity have familiarity with this case. I can competently testify to the following based on my own knowledge and experience.
2. On December 8, 2021, the clerk issued the summons in this case. Dkt. 6.
3. Pursuant to General Order 56, the service deadline was February 6, 2022.
4. Immediately following issuance of the summons, Plaintiff retained Armada Prime LLC to effectuate service on Defendant.
5. Plaintiff provided Armada Prime with three different addresses for service.
6. During the service window, Armada Prime attempted service six separate times at the various locations. Each of these attempts failed.

- 1 7. These attempts are evidenced in the motion for administrative relief, Dkt. 13, which  
2 Plaintiff filed, seeking to extend the service deadline.
- 3 8. In that motion, I erroneously referred to the service deadline under FRCP 4, rather than  
4 GO 56. That was merely a typographical error, for which I apologize. I am aware of the  
5 requirements of GO 56 and the service deadline in this case was calendared pursuant to it.
- 6 9. Though my office has policies in place governing the tracking and escalation of service  
7 delays for the purpose of bringing motions for administrative relief to extend the service  
8 deadline, those procedures were not followed in this case.
- 9 10. The delay in effectuating service and seeking additional time to do so was a deviation from  
10 established policies at my office and internal steps have been and are being taken to  
11 prevent recurrence.
- 12 11. However, as the defendant has now been served [ECF No. 16], the matter will be at issue  
13 shortly. Thus, Plaintiff requests the Court not dismiss this action but let it continue to a  
14 decision on the merits.

15  
16  
17 I declare under penalty of perjury under the laws of the State of California and the United  
18 States that the foregoing is true and correct.

19  
20  
21 Dated: April 8, 2022

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23 By: /s/ Christopher A. Seabock  
24 Christopher A. Seabock  
25 Attorneys for Plaintiff  
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